

REMARKS

In the Office Action dated February 13, 2009, claim 14 was rejected under Section 112, second paragraph as being indefinite because the Examiner stated it is not clear what is being combined with the switchover module. Claim 14 is intended to claim the embodiment wherein the switchover module and the postage calculator are combined in a single unit, i.e. in a common housing as shown in the embodiments of Figures 5a and 5b of the present application. Claim 14 has been amended to clarify this point.

Claims 1-3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freytag in view of Thiel. This rejection is respectfully traversed for the following reasons.

The subject matter disclosed and claimed in the present application is concerned with the special situation wherein a postage meter, that prints monetary postage values on postal items, is used in combination with (is connected to) a postage calculating scale. A postage calculating scale is capable of performing not only the function of weighing a postal item, but also then calculating the appropriate postage value, based on the weight of the postal item, using a stored rate table obtained from the governmental postal authority. The postage meter itself may also have postal calculating capability, in which case it will also contain a postage calculator, and will have a rate table stored therein. If and when the postage meter has this postage calculating capability, but is also connected to a postal calculating scale, the postal calculator in the meter is used to calculate postage according to settings that are entered by an operator for special services (such as registered mail, overnight delivery, etc.), under the assumption that the item on which the monetary

value is being printed is of a standard size and weight. If the item deviates from the standard size and weight (such as a standard size letter that can be mailed with standard first class postage), then the item is weighed on the postal scale, and the postal scale, rather than the postage meter, makes the postage calculation, and supplies this value to the postage meter.

Since the postage rate table must be periodically updated when postal rates change, this is commonly done electronically by establishing a communication with a data center that is remote from the postage meter and the postage calculating scale. Conventionally, this communication is established by the postage meter, since it is the postage meter, rather than the postal scale, that has communication capability with the remote data center. This means that if a rate table must be downloaded from the remote data center to the postage scale, the downloading must proceed through the postage meter, and then the new rate table data are forwarded to the postage scale from the postage meter.

The present inventors have had the insight to recognize that this represents a bottleneck in the overall operation of the postage meter/postal scale system, since while the postage meter is occupied with downloading the rate table data, which may require a relatively large amount of time and data processing capability, the postage meter is unavailable for other tasks, or can only perform such other tasks more slowly, because it is being "distracted" by the downloading of the rate table data through the postage meter and into the postage calculating scale.

The present inventors have overcome this problem by providing a switchover module, that allows *direct* downloading of rate table data from a remote data source, such as a data center, into the postage calculator of the scale. This switchover

model is only necessary and useful if and when a postage meter is connected to a scale that has a postage calculator therein. If the scale does not have a postage calculator therein, the aforementioned bottleneck does not exist, and therefore the aforementioned switchover module would be completely unnecessary.

In the Freytag reference, there is no postage scale that is explicitly shown but, as noted by the Examiner, the I/O unit 22 shown in Fig. 9 is stated at column 16, lines 24-25 to be connectible to an external scale, but there is no statement in the Freytag reference as to whether such a scale has a postage calculator therein. As noted above, Applicant acknowledges that postal scales having a postage calculator therein are known, but even if such a postage calculating scale were connected to the postage meter in Freytag via I/O 22, this would not solve the aforementioned "bottleneck" problem. In the Freytag reference, rate table data are loaded via chip cards that are read by a chip card reader in the postage meter. It is true that the postage meter may be connected to a data center via the port 23, but this is solely for credit transactions, and has nothing to do with the supply of rate table data.

Therefore, even if the postage meter disclosed in the Freytag reference were placed in communication with a remote data center, and were also in communication via I/O 22 with a postal scale having a postage calculator therein, the rate table data would still have to proceed through the postage meter (from the chip card reader) to the scale, and therefore the aforementioned bottleneck still would exist.

There is no teaching or suggestion in the Freytag reference to provide a switchover module between the scale, the external data source for rate tables, and the postage meter, so that rate table data can be transmitted *directly* from the remote source to the postage calculator in the scale, as set forth in claim 1.

Claim 1 has been editorially amended to emphasize these structural and operational features.

Applicant acknowledges that the Thiel reference discloses the concept of downloading rate table data *to a postage meter* from an external source, but there is no switchover module disclosed in the Thiel and there is no discussion in the Thiel reference of downloading rate table data in any manner to a postage calculator in a scale. Since there is no switchover module disclosed in either of the Freytag or Thiel references, Applicant submits that if the Freytag reference were modified in accordance with Thiel, this would merely mean that rate table data are downloaded externally into the postage meter via the aforementioned I/O 23, and from there they would be communicated to the external scale via I/O 22. The aforementioned conventional bottleneck still would therefore exist. The Freytag and Thiel references do not disclose or suggest any solution to this problem.

Therefore, none of claims 1-3 would have been obvious to a person of ordinary skill in the field of data processing associated with postal meters, in accordance with the provisions of the 35 U.S.C. §103(a), based on Freytag and Thiel.

Claims 4-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freytag and Thiel, further in view of Dlugos et al. Claims 13 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Freytag, Thiel and Dlugos et al., further in view of Jacobsen et al.

The above arguments with regard to the Freytag/Thiel combination are applicable to these rejections as well. Even if that basic combination were modified

in accordance with the teachings of either or both of Dlugos et al. and Jacobsen et al, the subject matter of claims 4-12 and 13 and 14 still would not result.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by

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